

BURSOR & FISHER, P.A.

L. Timothy Fisher (State Bar No. 191626)
1990 North California Boulevard, Suite 940
Walnut Creek, CA 94596
Telephone: (925) 300-4455
Facsimile: (925) 407-2700
E-Mail: ltfisher@bursor.com

Attorneys for Plaintiff Marisa Franz

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

GEMMA RIVERA and MARISA FRANZ,
individually and on behalf of all others similarly
situated,

Plaintiffs,

v.

KNIX WEAR INC.,

Defendant.

Case No. 5:22-CV-02137-EJD

**PLAINTIFF MARISA FRANZ'S
RESPONSE TO ORDER TO SHOW
CAUSE WHY MOTIONS SHOULD
NOT BE TERMINATED WITHOUT
PREJUDICE**

Judge Edward J. Davila

1 Plaintiffs Marisa Franz respectfully submits this response to the Court's July 31, 2023 Order
2 to Show Cause Why Motions Should Not Be Terminated Without Prejudice. Plaintiff Franz agrees
3 that the pending Motion to Dismiss (ECF No. 12), Motion for Rule 11 Sanctions (ECF No. 14), and
4 Motion to Stay Discovery (ECF No. 35) should be terminated without prejudice while Plaintiff
5 Rivera seeks to obtain new counsel and the parties continue their settlement discussions.

6 Dated: August 14, 2023

Respectfully submitted,

7 **BURSOR & FISHER, P.A.**

8
9 By: /s/ L. Timothy Fisher
10 L. Timothy Fisher

11 L. Timothy Fisher (State Bar No. 191626)
12 1990 North California Boulevard, Suite 940
13 Walnut Creek, CA 94596
14 Telephone: (925) 300-4455
15 Facsimile: (925) 407-2700
16 E-Mail: ltfisher@bursor.com

17 *Attorneys for Plaintiff Franz*
18
19
20
21
22
23
24
25
26
27
28